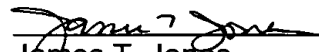


solubility of sertraline. The claims are thus directed to a limited (gelatin capsule) class of dosage form, the claims say nothing about solubilizing anything and, accordingly, the claims would not inform one of ordinary skill as to the solubilizing effects of the instantly claimed compositions with respect to sertraline. It is accordingly respectfully requested that the double patenting rejection be withdrawn with respect to this reference as well.

In view of the foregoing comments and amendments, it is respectfully submitted that this application is in condition for allowance. A Notice of Allowance is accordingly respectfully requested.

Respectfully submitted,

Date: MAY 18, 2001


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slj/legal/9835A amend.doc

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 1, 10, 15, and 22 have been amended as follows:

Sub D1
also part of amend.
1. (Amended) A composition of matter comprising sertraline or a pharmaceutically acceptable salt thereof and an amount of a solubilizing agent sufficient to produce a concentration of dissolved sertraline in a use environment containing chloride ions which is 1.5 times higher than the concentration effected by a comparative composition of matter identical thereto but for the inclusion of said solubilizing agent, provided said solubilizing agent is not alginic acid, sodium citrate, calcium carbonate, sesame oil, peanut oil, sodium lauryl sulfate or a polyethylene glycol having a molecular weight greater than 3350.

Sub D3
10. (Amended) A composition of matter comprising sertraline or a pharmaceutically acceptable salt thereof and an amount of a solubilizing agent sufficient to produce and to maintain, for at least 2 hours in 0.075M sodium chloride, a concentration of dissolved sertraline which is at least 1.5 times higher than the concentration effected by a comparative composition of matter identical thereto but for the inclusion of said solubilizing agent, provided said solubilizing agent is not alginic acid, sodium citrate, calcium carbonate, sesame oil, peanut oil, sodium lauryl sulfate or a polyethylene glycol having a molecular weight greater than 3350.

Sub D5
15. (Amended) A composition of matter comprising sertraline or a pharmaceutically acceptable salt thereof and an amount of a solubilizing agent sufficient to effect, *in vivo*, a C_{max} and/or an AUC which is greater by at least 10% than the C_{max} and/or AUC effected by a comparative composition of matter identical thereto but for the inclusion of said solubilizing agent, provided said solubilizing agent is not alginic acid, sodium citrate, calcium carbonate, sesame oil, peanut oil, sodium lauryl sulfate or a polyethylene glycol having a molecular weight greater than 3350.

Sub
D7

22. (Amended) A method of increasing the solubility of sertraline in an aqueous chloride ion-containing use environment, comprising administering said sertraline to said use environment in a composition of matter additionally comprising a solubilizing agent, provided said solubilizing agent is not alginic acid, sodium citrate, calcium carbonate, sesame oil, peanut oil, sodium lauryl sulfate or a polyethylene glycol having a molecular weight greater than 3350.